IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CR No.5669 of 2007

DATE OF DECISION: 2.11.2007

Billu **...Petitioner**

VERSUS

Jagjit Singh **…Respondent**

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.J.S.Chahal, Advocate for the petitioner

Permod Kohli, J. (Oral)

This Revision is directed against the order dated 13.8.2007 passed by the Civil Judge (Jr.Division), Jagraon whereby right to cross-examine the witnesses by the defendant/petitioner was closed. It is stated by learned

counsel appearing for the petitioner that though the defendant/petitioner was present, but his counsel could not reach the court to cross-examine the witnesses. He seeks one opportunity to cross-examine the witnesses.

I have perused the impugned order. I do not find any factual or legal infirmity in the impugned order. However, in the interest of justice, petitioner is allowed one opportunity to cross-examine the witnesses whose affidavits were taken on record on 13.8.2007 and who were present in the court. The petitioner shall appear before the trial court on 26.11.2007. The trial court will fix a date for cross-examination of the witnesses by summoning the said witnesses. The petitioner shall bear the expenses of the witnesses. As and when the witnesses appear, the petitioner shall be allowed to cross-examine them. If the petitioner fails to cross-examine the witnesses on the date to be fixed by the trial court, the impugned order shall remain operative. This order is, however, subject to payment of Rs.1000/- to be paid to the other side before the trial court.

(PERMOD KOHLI)
JUDGE

2.11.2007

MFK